IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Writ Petition No.3595 of 2007

(Arun Purushottam Deshmukh v. The State of Mah. and another)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri V.A. Kothale, Advocate for Petitioner.
Shri V.A. Thakre, AGP for R- 1.

CORAM : D.K. Deshmukh & R.C. Chavan, JJ.
DATE : 17 th September, 2007

Heard.

The Maharashtra Administrative Tribunal, relying on Rule 41 of the Maharashtra Civil Services (General Conditions of Service) Rules, 1981, has held that there is duty cast is on every Government Servant that while affixing his signature in token of his having inspected the service book, he should see that all the entries made in his service book are in order. On the basis of this Rule, the Tribunal has recorded a finding that it cannot be said that the lapse is not entirely attributable to the Administration and, therefore, held that petitioner is not entitled to any interest.

The learned Advocate for the petitioner is not able to point out any statement in the petition that at no point of time the petitioner had ever signed his service book.

As the duty is cast by Rule 41 that every Government Servant shall ensure before affixing his signature that all the entries made in his service book are correct, in our view, in the absence of a specific

statement that at no point of time, he had ever signed the service book, no fault can be found with the order passed by the Tribunal.

The petition is, therefore, dismissed.

JUDGE JUDGE

pdl